

PATENT Attorney Docket No. 227833 Client Reference No. JF-133US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sunami et al.

Group Art Unit: 1614

Application No. 10/802,220

Examiner: Unassigned

Filed: March 17, 2004

For: PHARMACEUTICAL COMPOSITIONS

OF CETP INHIBITORS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

In re Appln. of Sunami et al. Application No. 10/802,220

), (c) or (d) above, but before the mailing date of a final a 3, a Notice of Allowance under 37 CFR 1.311, or an oses prosecution in the application, and includes <i>one</i> of:	
Statement under 37 CFR 1.97(e) (see "Statement under 37 CI w).	FR 1.97(e)"
ee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).	
illing date of a final action under 37 CFR 1.113 or a Notice of R 1.311, or an action that otherwise closes prosecution in the before payment of the issue fee, and includes the Stater (ce) (see "Statement under 37 CFR 1.97(e)" below), and the fee 17 CFR 1.17(p) (see "Fees" below).	application, ment under
iling date of a Notice of Allowance under 37 CFR 1.311, and of the issue fee, and within thirty days of receiving each item of the Information Disclosure Statement, and includes the State Med) (see "Statement under 37 CFR 1.704(d)" below), and forth in 37 CFR 1.17(p) (see "Fees" below).	information ment under
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s for original applications except applications for a design patent, file wherein a paper containing only an Information Disclosure Statement in 97 and 1.98 is being filed. Prences all of the references listed on the enclosed Form 1449 and application was filed after June 30, 2003. Accordingly, compatent applications that are listed on the accompanying Form I rewith (see Official Gazette Notice of August 5, 2003). Cop	re enclosed bies of U.S. 1449 are not ies of other th. hation of the nt/patent, or ch report or dicating the
s for original applications except applications for a design patent, file wherein a paper containing only an Information Disclosure Statement is 97 and 1.98 is being filed. rences all of the references listed on the enclosed Form 1449 at application was filed after June 30, 2003. Accordingly, coppatent applications that are listed on the accompanying Form 1 rewith (see Official Gazette Notice of August 5, 2003). Coplentified on the accompanying Form 1449 are enclosed herewith each reference not in the English language is a concise explanarsuant to 37 CFR 1.98(a)(3). An English-language equivaler anguage abstract, or an English-language version of the sear foreign patent office in a counterpart foreign application in levance found by the foreign office is being submitted in lieu.	re enclosed bies of U.S. 1449 are not ies of other th. hation of the nt/patent, or ch report or dicating the
tiling date of a final action under 37 CFR 1.113 or a Notice IR 1.311, or an action that otherwise closes prosecution in the before payment of the issue fee, and includes the Star(e) (see "Statement under 37 CFR 1.97(e)" below), and the 17 CFR 1.17(p) (see "Fees" below).	ne iter fee

of a first Office Action on the merits; or (d) before the mailing of a first Office Action

furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filling date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLI	CATIONS	Status (check one)			
U.S. APPLICATIONS	U.S. APPLICATIONS U.S. FILING DATE			ABANDONED	
1.					
2.					
3.					

Statement under 37 CFR 1.97(e)

	The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
	The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filling of the Information Disclosure Statement.
Stater	nent under 37 CFR 1.704(d)
	The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
Fees	

X	No fee is owed by the applicant(s).
	The IDS Fee of \$180 under 37 CFR 1.17(p) is enclosed herewith

In re Appln. of Sunami et al. Application No. 10/802,220

Metho	od of Payment of Fees
	Attached is a check in the amount of \$ Charge Deposit Account No. 12-1216 in the amount of \$ this communication is enclosed for that purpose.) (A duplicate copy of the communication is enclosed for that purpose.)
Autho	orization to Charge Additional Fees
\boxtimes	If any additional fees are owed in connection with this communication, please charge Deposit Account No. 12-1216. (A duplicate copy of this communication is enclosed for that purpose.)
Instru	actions as to Overpayment
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	Jol Held.
	John Kilyk, Jr., Reg/No/36,763

LEYDIG, VOIT MAYER, LTD. Two Prudential Plaza, Suite 4900 180 North Stetson Avenue Chicago, Illinois 60601-6780 (312) 616-5600 (telephone) (312) 616-5700 (facsimile)

Date: October 8, 2004

CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: Octobe 8, 2004

Jel Kyly J

IDS (Revised 5/21/03)

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INFORMATION DISCLOSURE STATEMENT BY APPECANT

(Use as many sheets as necessary)

of

	Complete if Known	
Application Number	10/802,220	
Filing Date	March 17, 2004	
First Named Inventor	Sunami et al.	
Group Art Unit	1614	
Examiner Name	Unassigned	
LVM Reference Number	227833	
Attorney Docket Number	IF-1331 IS	

				U.S. PATENT DOCUMENTS		
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Examiner Signature /Anna Pagonakis/ Date Considered 04/04/2008

A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

An English-flanguage equivalent/paient, or an English-flanguage abstract, or an English-flanguage version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(g)(3).

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10/802,220 Application Number March 17, 2004 Filing Date First Named Inventor Sunami et al. 1614 Unassigned 227833

Complete if Known

JF-133US

				U.S. PATENT DOCUMENTS		
		U.S. Patent Doo	ument			
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/Anna Pagonakis/ Examiner Signature Date Considered 04/04/2008

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(Use as many sheets as necessary)

Sheet 3 of 4

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Examiner	Doc.	Foreign Patent Document Application or Kind					Translation	
Initials	No.	Office	Patent Number	Code	Name of Patentee or Applicant	Date of Publication	Yes	No**
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Examiner Signature

/Anna Pagonakis/

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			LVM Reference Number	227833		
4	of	4	Attomey Docket Number	JF-133US		

Application Number

First Named Inventor

Filing Date

Group Art Unit

Complete if Known

March 17, 2004

Sunami et al.

04/04/2008

1614

10/802,220

		OTHER - NON PATENT LITERATURE DOCUMENTS		
Examiner Initials	Doc. Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item		Translation	
	No.	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.		No*+
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Examiner Signature	/Anna Pagonakis/	Date Considered

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